

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

ROBERT A. CHOATE §  
§  
V. § CIVIL ACTION NO. G-06-219  
§  
GALVESTON POLICE DEPARTMENT, §  
ET AL. §

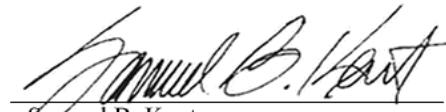
**ORDER OF DISMISSAL**

Before the Court is a Report and Recommendation from the United States Magistrate Judge dated June 22, 2006, which recommends that the Choate' s complaint be dismissed, without prejudice, for failure to respond to the Defendant' s Motion to Dismiss. Choate was given until July 7, 2006, to file objections to the Report and Recommendation. To date, no objections have been filed.

Having given this matter the appropriate level of review, this Court is of the opinion that the Report and Recommendation should be, and it is hereby, **ACCEPTED** in its entirety and the City' s Motion (Instrument no. 4) is **GRANTED** and **that all state law claims asserted by Choate for false arrest, false imprisonment, assault and battery are DISMISSED.**

It is the further **ORDER** of this Court that **Choate' s complaint is DISMISSED for want of prosecution.**

**DONE** at Galveston, Texas, this 21<sup>st</sup> day of July, 2006.



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Samuel B. Kent  
United States District Judge